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Bergstein&Ullrich, LLP

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Karas, S

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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STEVEN BAGGATTA,

Plaintiff,

07 Civ. 3544 (KMK) (LMS)

-vs-

BOYCE EXCAVATING CO., INC.,

Defendant.
-----X

STIPULATION OF DISMISSAL WITH PREJUDICE

Pursuant to FED.R.CIV.P. 41(a)(1), the parties to the above-captioned action hereby stipulate and agree that this action shall be dismissed with prejudice, all parties to bear their own costs and attorneys' fees, and waiving interest and all rights to appeal.

STIPULATED AND AGREED:

BERGSTEIN & ULLRICH, LLP

By: Stephen Bergstein

Stephen Bergstein (SB 6810)
15 Railroad Avenue
Chester, New York 10918
Attorney for Plaintiff

BLUSTEIN, SHAPIRO & RICH, LLP

By: Carol Pierce

Carol Pierce, Esq. (CP 7152)
90 Crystal Run Road
Middletown, NY 10940
Attorney for Defendant

SO ORDERED:

Kenneth M. Karas

Kenneth M. Karas, United States District Judge

Date: 1/31/08

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